

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
THE NEW YORK TIMES COMPANY and
CHARLIE SAVAGE,

Plaintiffs,

v.

DEPARTMENT OF JUSTICE,

Defendant.
-----X

:
:
: 18 Civ. 2054 (AT)
:
:

**STIPULATION AND ORDER
OF SETTLEMENT AND DISMISSAL**

WHEREAS Plaintiffs The New York Times Company and Charlie Savage (together, “The Times”) filed this suit in the United States District Court for the Southern District of New York pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552, seeking the release of certain documents by Defendant Department of Justice (“DOJ”), in connection with an earlier administrative request for the same information (the “FOIA Request”); and

WHEREAS the parties desire to resolve all remaining issues related to The Times’s FOIA Request;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, as follows:

1. In exchange for The Times’s agreement to dismiss this action, DOJ agrees to provide to The Times any documents responsive to The Times’s FOIA Request that are released in related actions.¹ Further, DOJ agrees to provide to The Times any publicly-released Vaughn Index from these same actions.

¹ The related actions are: (i) *James Madison Project v. DOJ*, No. 17-597-APM (D.D.C.); (ii) *Poulsen v. U.S. Department of Defense*, No. 17-cv-3531-WHO (N.D. Cal.); (iii) *Judicial Watch v. DOJ*,

2. The parties' agreement fully settles any and all claims The Times now has or may hereafter acquire against DOJ or the United States of America (the "United States"), or any department, agency, officer, or employee of DOJ and/or the United States, related to or arising out of Plaintiffs' FOIA Request at issue in this action.

3. This action is hereby dismissed with prejudice, with each party to bear its own fees and costs, provided that the Court shall retain jurisdiction over any issues that may arise relating to this Stipulation and Order.

4. The parties understand and agree that this Stipulation and Order contains the entire agreement between them, and that no statements, representations, promises, agreements, or negotiations, oral or otherwise, between the parties or their counsel that are not included herein shall be of any force or effect.

Dated: New York, NY
August 9, 2018

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York



By: ANDREW E. KRAUSE
Assistant United States Attorney
86 Chambers Street, 3rd Floor
New York, New York 10007
Tel.: (212) 637-2769
Fax: (212) 637-2786
Email: andrew.krause@usdoj.gov

Counsel for Defendant



DAVID E. MCCRAW
Legal Department
The New York Times Company
620 8th Avenue, 13th Floor
New York, NY 10018
Tel: (212) 556-4031
Fax: (212) 556-4634
Email: mccraw@nytimes.com

Counsel for Plaintiffs

SO ORDERED:

HONORABLE ANALISA TORRES
UNITED STATES DISTRICT JUDGE